

# LEE COUNTY

NORTH CAROLINA

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REGULAR MEETING  
OF THE  
LEE COUNTY BOARD OF COMMISSIONERS  
106 HILLCREST DRIVE  
SANFORD, NORTH CAROLINA 27330

JANUARY 23, 2012

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The regular meeting of the Lee County Board of Commissioners for the County of Lee, State of North Carolina, convened at 6 p.m. in the Commissioners' Room, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present were Richard B. Hayes, Larry "Doc" Oldham, Charles T. Parks, Nathan E. Paschal, and Linda A. Shook. Commissioners Robert T. Reives and James K. Womack, Jr. were absent but joined the meeting later.

Chairman Shook called the meeting to order and the following business was transacted:

Commissioner Shook delivered the invocation.

The pledge of allegiance was recited.

The Board considered additions/changes to the agenda. County Manager John Crumpton asked the Board to consider a request from the Board of Education for copies of all monthly financial reports. With no other changes made, Commissioner Oldham moved to approve the addition of the above item to the agenda. Upon a vote, the results were as follows:

Aye: Hayes, Oldham, Parks, Paschal, and Shook  
Nay: None  
Absent: Reives and Womack

The Chairman ruled the motion had been adopted unanimously.

Commissioner Hayes moved to approve the *Consent Agenda* which consisted of the following items:

- Minutes from the January 9, 2012 regular meeting,
- FY 2012-13 Johnston-Lee-Harnett Community Services Block Grant Program,
- Tax Releases and Refunds for December 2011 (copy attached),
- Agreement for Administrative Services for 2011 CDBG project (copy attached),
- Approval of revised Local Emergency Planning Committee membership roster,
- Budget Amendment # 01/23/12/07 (copy attached),
- Revised Board of Health Operating Procedures (copy attached),
- Approval of additional Administration monies to the Health Department, from the State, in the amount of \$3,918, and

- Approval of additional DEHNR Planning funds to the Health Department, from the State, in the amount of \$8,343.

Upon a vote, the results were as follows:

Aye: Hayes, Oldham, Parks, Paschal, and Shook  
Nay: None  
Absent: Reives and Womack

The Chairman ruled the motion had been adopted unanimously.

Pursuant to N.C. General Statute 153A-42.1, Chairman Shook opened the floor for *Public Comments*. The following signed up to speak and were allowed 3 minutes for comments:

1. Mr. Keith Clark, 212 Acorn Drive, Sanford

Commissioner's Reives and Womack joined the meeting at the end of the public comments section of the meeting.

The Board held a public hearing for the *FY 2012-13 Community Transportation Grant*. Senior Services Director Debbie Davidson stated the following funds were being requested through the above referenced grant:

**Administrative - \$154,949** (15% local match of \$23,243). These funds will cover 85% of the salary for the County of Lee Transit System Coordinator position, and a portion of the administrative salaries of 3 other staff members and benefits, travel, general office supplies, space rental, technology supplies, and indirect cost for the administration of the system. Also included in this request is 85% reimbursement for vehicle insurance on 18 vehicles.

**Capital - \$173,000** (10% local match of \$17,300). These funds will cover the replacement of 4 vehicles (all lift equipped with 2 wheel chair stations).

Chairman Shook opened the public hearing that had been advertised for this date and time.

The following spoke in favor of the grant:

1. Sidney Morgan, COLTS Transportation Coordinator

No one present spoke in opposition to the grant request.

Chairman Shook closed the public hearing.

Commissioner Reives moved to approve the *FY 2012-13 Community Transportation Grant* as presented. Upon a vote, the results were as follows:

Aye: Hayes, Oldham, Parks, Paschal, Reives, Shook, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board held a public hearing for the *Elderly and Disabled Federal Grant Application for Transportation*. Senior Services Director Debbie Davidson stated the grant was needed to improve and

enhance transportation services to elderly and disabled citizens. A Human Services Transportation Plan was approved by the Lee County Transportation Advisory Board on March 5, 2009 that addressed the transportation needs of Lee County's citizens. This proposal is to continue to offer the circular route called DASH with scheduled stops and connections to the Lemon Springs and Broadway communities in order to provide additional mobility options and affordable transportation for Lee County residents. Ms. Davidson stated this is a competitive process for a two-year grant cycle from July 1, 2012 through June 30, 2014. The following funding levels are being requested:

**Operating Expenses - \$119,407** (50% local match of \$59,704),

Funds through the Home and Community Care Block Grant allocated through the Senior Services Department, other contract revenue and the \$2.00 per trip fare rate charged to passengers will be used to cover local matching requirements; therefore, no additional funding from the County of Lee will be requested. These funds will cover salaries for 2 drivers and vehicle operation expenses for 2 years.

**Capital** – \$7,950 (10% local match of \$795). To be used for tires and maintenance for one lift equipped vehicle, purchased with the original funding for the DASH route.

Chairman Shook opened the public hearing that had been advertised for this date and time.

The following spoke in favor of the grant application:

1. Sidney Morgan, COLTS Transportation Coordinator (stated this program has assisted many disabled citizens and is greatly needed)

No one present spoke in opposition to the grant application.

Chairman Shook closed the public hearing.

Commissioner Parks moved to approve the *Elderly and Disabled Federal Grant Application* as presented. Upon a vote, the results were as follows:

Aye: Hayes, Oldham, Parks, Paschal, Reives, Shook, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board held a public hearing to consider increase fare rates for public passengers of the County of Lee Transit System (COLTS). Based on the FY 2012 allocation decrease of \$25,000 in grant funding for the Rural General Public Grant through NC Department of Transportation, the Lee County Transportation Advisory Board made a motion that all local fare rates increase to \$4.00 per trip for all Lee County residents. Current rates have been in place since 2004 (\$2.00 for City to City, and \$4.00 for County to City). Ms. Davidson stated the NC DOT Rural General Public funds will continue to offset the remaining cost of each trip averaged at \$6.13. The rate for the DASH route rates will remain the same at \$2.00 per trip.

Chairman Shook opened the public hearing that that had been advertised for this date and time.

The following spoke in favor of the COLTS rate increase:

1. Keith Clark, 212 Acorn Drive, Sanford
2. Sidney Morgan, COLTS Transportation Coordinator (stated with gas prices going up, this increase is needed)

No one present spoke in opposition to the fare increase.

Chairman Shook closed the public hearing.

Commissioner Reives moved to approve the fare rate increase for the County of Lee Transit System to charge \$4.00 per trip for all Lee County residents. Upon a vote, the results were as follows:

Aye: Hayes, Oldham, Parks, Paschal, Reives, Shook, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

At this time Ms. Victoria Whitt from the Sandhills Center appeared before the Board and discussed concerns expressed by the Commissioners during their December 2011 meeting as it relates to mental health services provided to Lee County residents. Mr. Bill West, CEO of Daymark Recovery and Mr. Jerry Earnhardt, Clinical Director for Daymark discussed operations and procedures at their facility and answered questions. No action was taken.

The Board considered revisions to the *Public Records Request Policy and Procedures*. County Attorney Dale Talbert discussed action taken at the November 14, 2011 meeting where the Board amended the *County's Public Records Requests: Policy and Procedures* by adding a provision that requires a charge to be imposed for "estimating, processing, compiling, and transmitting public records requests of a large or complicated nature." Changes were made to the policy to reduce the per-page cost for duplicating (photocopying) documents and increase the threshold number of pages at which a duplication cost would be assessed. The amendments to the policy were made retroactive to apply to all Public Records Law requests pending at the time the amendment was adopted. Mr. Talbert discussed "assumptions" that were made to the original policy and made clarifications giving more detailed information. After much discussion, Commissioner Womack moved to defer action on the revised policy and give the County Attorney an additional month to study and collect information from the Attorney General's office and private attorneys on the matter. Commissioners were asked to submit suggestions to Mr. Talbert for possible inclusion in the policy. Upon a vote of Commissioner Womack's motion, the results were as follows:

Aye: Hayes, Oldham, Parks, Paschal, Reives, Shook, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

County Manager John Crumpton asked the Board to consider sending a letter to the Lee County Board of Education asking that they provide copies of their monthly financial statements. After discussion, Commissioner Parks moved to accept the recommendation of the County Manager to send a letter to the Lee County Board of Education asking for copies of their monthly financial reports. Upon a vote, the results were as follows:

Aye: Hayes, Oldham, Parks, Paschal, Reives, Shook, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Reives brought up the recent split in redistricting for Lee County. After much discussion, Commissioner Reives moved to submit a request in writing from the Board asking Representative Mike Stone and Senator Bob Atwater to appear before the Board at the February 6<sup>th</sup> meeting to explain how the redistricting will impact Lee County. Upon a vote, the results were as follows:

Aye: Hayes, Oldham, Parks, Paschal, and Reives  
Nay: Shook and Womack

The Chairman ruled the motion had been adopted by a 5 to 2 vote.

Assistant County Manager / Finance Director Lisa Minter presented the *Monthly Financial Report* for month ending December 2011. No action was taken.

The Board considered the *FY 2012-13 Budget Calendar*. Assistant County Manager / Finance Director Lisa Minter presented the proposed calendar for consideration. It was stated the calendar presented is not a firm calendar and is subject to change especially with regard to budget work sessions that the Board of Commissioners might hold. Commissioner Parks moved to approve the *FY 2012-13 Budget Calendar* as presented, a copy of which is attached to these minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Hayes, Oldham, Parks, Paschal, Reives, Shook, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

County Manager John Crumpton distributed to each Board member a draft copy of the Evergreen audit report. Each department head will receive a copy of their departments report at the January 24<sup>th</sup> department head meeting.

County Manager John Crumpton presented his *Monthly Report* to the Board which addressed the following issues:

1. Springsted Consultants have completed the preliminary work on the Pay Classification Plan update. They are now reviewing all data and will be developing a draft report in February. The time table is still to present the report to the Board at the second meeting in March.
2. Evergreen Solutions has submitted the County's draft performance audit report to staff for review. Evergreen is still trying to get follow up information from the Board of Education so they can complete the financial review of the school system. It is anticipated the school report will be completed in 3 to 4 weeks. Evergreen will provide a final presentation to the Board of Commissioners on both reports once completed and Commissioners, at that time, can decide how to proceed.
3. Courthouse renovations project is almost out to bid. Bid advertisements are going out on January 22nd. The pre-bid conference is scheduled for January 31st with bids due February 21st. The Architect is reviewing the situation with the Jail electrical system at this time and is putting together a recommendation that will pull

that piece out of the bid documents so it can be bid separately. This will allow the project to go forward without certain permits that will be required with the larger project. It will still take 90 – 120 days to complete the electrical installation at the Jail.

4. The SBTDC is doing preliminary work on the development of a Strategic Plan for Economic Growth for the County. The work is taking longer than originally estimated. The workshop has been pushed back to the end of February or early March at this time. The goal of the process is to develop a plan that will guide the County in the coming years that will enable us to help retain and grow wealth in the County.
5. Confirmation has been received from the School of Government that they will be holding a “Bottom Line” budget simulation exercise at the Lee County Government Center on March 8th from 8:30 a.m. until noon. A list of 25 participants has been put together to take part in the exercise. On the afternoon of March 8th, discussion on goal setting for the 2012-13 budget will be held.

Mr. Crumpton stated the NACo Legislative Conference, scheduled for early March in Washington, DC, would be offering a session on “fracking”. Commissioners were asked to let him know if they were interested in attending. Commissioner Womack stated he was working on a trip to upstate Pennsylvania in early-mid March to meet and talk with town residents and elected officials about their fracking experiences.

Commissioner Parks moved to go into closed session to discuss (1) matters relating to the location or expansion of a business in the area per N.C. General Statute 143-318.11(a) (4), and (2) to consult with the County Attorney in order to preserve the attorney-client privilege between the attorney and the public body per N.C. General Statute 143-318.11(a) (3). Upon a vote, the results were as follows:

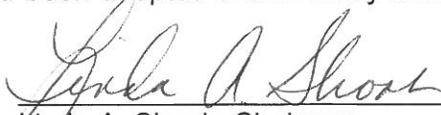
Aye: Hayes, Oldham, Parks, Paschal, Reives, Shook, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously and the Board was in closed session. After completing business in closed session, the meeting resumed, with all members present.

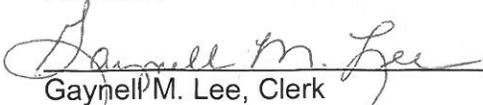
With no further business to come before the Board, Commissioner Parks moved to adjourn the meeting. Upon a vote, the results were as follows:

Aye: Hayes, Oldham, Parks, Paschal, Reives, Shook, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned at 9:55 p.m.

  
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Linda A. Shook, Chairman  
Lee County Board of Commissioners

ATTEST:

  
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Gaynell M. Lee, Clerk